Morris, Craig

From: Serge Lombard (b)(6)
Sent: Tuesday, November 02, 2010 7:12 PM
To: TMFeedback
Subject: RE: Small Business Study

I was not sure how broad your study was.
They are weakly connected in that the only thing one can do is to civilly litigate the fraudster, and that is a worthless tactic.
This problem is a new one which uses good tradenames/marks for public fraud and is not a dispute between legitimate competing parties.

> From: TMFeedback@USPTO.GOV
> To: selwynberg@hotmail.com
> Date: Tue, 2 Nov 2010 10:37:08 -0400
> Subject: RE: Small Business Study
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> Dear Sir:
>
> Thank you for your comments. While you raise valid concerns, we will not be able to consider these specifically as related to the "Small Business Study," as they do not appear to relate to trademark litigation tactics and their impact on small businesses.
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> TMFeedback Support Team
>
> From: Serge Lombard (b)(6)
> Sent: Tuesday, November 02, 2010 8:00 AM
> To: TMFeedback
> Subject: Small Business Study
>
> A serious problem exists in the fraudulent use of tradenames/ trademarks which does need Government intervention.
> Let me explain.
> On the Internet, there are many fraudsters using well established tradenames to hustle identity theft. I am not talking about what is the usual Civil dispute of misuse or other disputable occasions which are commercial incidents, but deliberate fraudulent use of a name (like "Microsoft" or even WIPO (I was hit by a Chinese organization that used WIPO to solicit fees).
> These Fraudsters know that the organizations will not pursue an expensive civil action to chase down some elusive name, but the public is getting hit on an international scale.
> This involves not only the USPTO but also the ICC and other Federal Agencies. Something should be done. I am certain that these TM fraudsters are doing millions of dollars of damage to the targeted public (usually seniors and others who are in need).
> If you intend to do something really constructive, you should look into this problem.
>
> I am an attorney that does International Law and a member of the PTO, and Ordem dos Advogados (in Portugal) as well as Calif. Bar (inactive) and DC Bar and Law Society of GB and Wales (inactive).
>
> Selwyn Berg
>
> Selwyn S. Berg , Ph.D., J.D. : Rua Barril de Baixo #41 :2655-015 Carvoeira , (b)(6)
>
> Member of the Ordem dos Advogados, #90095L, Law Society of Great Britain and Wales*; California Bar*:District. of Columbia Bar; U.S. IRS Tax Bar and U.S. Patent Bar and European Union Bar. *currently inactive
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